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TAGS: [PGOV](#) [PHUM](#) [CASC](#) [PREL](#) [PINR](#) [KCRM](#) [BH](#)

SUBJECT: Appointment of Director of Public Prosecution

REF: 06 BELIZE 0901

¶1. Summary: Ambassador and Consul called on Belize's newly-appointed Director of Public Prosecutions to review his plans for prosecution of several high-profile cases of interest to the USG. During the meeting the DPP expressed interest in training opportunities for his staff to improve skills and professionalism. End summary.

¶2. The Government of Belize (GoB) appointed Lutchman Sooknandan to be the Director of Public Prosecutions (DPP) on January 4, 2007. However, due to the failure to follow proper legal procedures, the appointment was not confirmed by the Senate until January 9. Mr. Sooknandan, who served as Acting DPP from 1993-95, has been in private practice for the past 11 years. He replaces Kirk Anderson, with whom the Ambassador had met several times to encourage closure on pending cases.

¶3. Ambassador Dieter met with Mr. Sooknandan on January 16 to discuss several issues that concern the U.S. Embassy and U.S. policies: 1) Trafficking in Persons; 2) the Julia Minard murder case; and 3) training opportunities available through various U.S. programs and agencies.

¶4. Trafficking in Persons: Belize was placed on Tier 3 for a short while in 2006 until the GoB could show a commitment to combating trafficking and trafficking-related activities. Thus far, there have been only two cases charged. The first case involved Jitendra Chawla, a businessman of Indian descent who is well-known in the business community as Jack Charles. Mr. Chawla was arrested in June 2006 and charged with trafficking in persons after police discovered six illegal immigrants living in a warehouse owned by Mr. Chawla. The Indian nationals claimed their passports and other documents had been taken from them and were being held by Jack Charles. Mr. Chawla was charged and released on bail pending his trial. The trial was scheduled for January 10. The case was subsequently thrown out of court because the six young Indian immigrants identified their employer as "Jack Charles" and the defense argued that the charges were filed against one "Jitendra Chawla". The prosecutor, now under Lutchman Sooknandan, did not respond or address the name issue, resulting in all charges being dismissed.

¶5. During the discussion of the Jack Charles case, Mr. Sooknandan did tell Ambassador Dieter that he was acquainted with Jitendra Chawla prior to this hearing on January 10, having been hired to check on the authenticity of the passports of the six illegal Indian immigrants. He did not indicate that the case would be re-opened with corrected documents.

¶6. The second trafficking in persons case was brought against Amparo Zetina, the sister of the then-Director of Immigration Jose Zetina. Ms. Zetina was charged with trafficking in persons when a young Guatemalan girl reported to police that she was brought to Belize to work in a restaurant only to find out she was "obliged to work in a bar to entertain men." The girl claimed she told Ms. Zetina she wanted to leave, was told she could not leave, and when she did try to leave to seek help, some of Ms. Zetina's employees assaulted her.

Ms. Zetina was also released immediately on bail. Mr. Sooknandan assured Ambassador Dieter he would check on the status of that case which had been scheduled for January 2007.

¶8. The Julia Minard murder case: The trial of Agrippa Ical (see reftel) who has been accused of assaulting and murdering U.S. citizen Julia Minard in November 2005 had been delayed from the anticipated November 2006 trial setting. At that time, the former DPP and Attorney General Francis Fonseca assured Ms. Minard's mother that the trial would be held in the Spring Session, probably in March, 2007. Mr. Sooknandan told the Ambassador that he would review the file and was sensitive to the need to not mishandle the matter. On January 18 he called Consul and related that he was forwarding the file to the Southern Regional Court for their docket.

¶9. Training opportunities: In discussions of available training, Mr. Sooknandan indicated that he would be most appreciative of training opportunities for his Crown Counsels and even talked about programs he himself had attended in the past. In particular, he said that a workshop he had once attended, "Overview of Investigative Techniques," would be highly beneficial to his staff and members of the Belize Police Force. He would welcome training in TIP prosecutions, DNA evidence and forensic evidence generally.

¶10. Mr. Sooknandan has entered the office at a precarious time. Mr. Anderson fell out of favor with the current Government when he insisted on charging Choyben Abou-Nehra, a member of a wealthy, well-connected family, with murder in connection with his shooting and killing an intruder in 2005. Police charged Mr. Abou-Nehra with manslaughter, and rumors, still unproven, abounded that DPP Anderson was told by police and other unnamed government officials to change the DPP's charges to manslaughter. Mr. Anderson refused and charged Mr. Abou-Nehra with murder. Shortly following that decision Mr. Anderson announced that he would be leaving the DPP office by the end of 2006. Mr. Sooknandan stated that after he reviewed the file he would press for the appropriate charge even though Mr. Abou-Nehra failed to show for his preliminary hearing on January 16th.

¶9. Comment: The GoB's apparent lack of commitment to combating trafficking in persons was a critical factor in their 2006 Tier 3 assessment and the DPP's lack of assertiveness in the "Jack Charles" case is disappointing to say the least. On the other hand, Mr. Sooknandan's quick follow-up on the Minard case was an encouraging sign.

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